

SENATOR LANDIS: Thank you, Madam President, members of the Legislature. LB 94 was brought to me by Lancaster County and we have had now, for well over 50 years, a library tax on our books, permitting counties, if they wish to, to establish a county library and originally seven counties did so. They followed the old statute. They had an election of their citizens, constructed a county library outside the jurisdiction of any city that had a public library and used this old statute to construct and maintain a county library. In recent years counties have begun to contract for library services, mobile units, whatever. The old statute says if you want to use the library tax and you are going to have a county library, you've got to have an election of the people but don't worry, once you've got that county tax in place it doesn't apply to the residents of a city that is in the county that has their own library system. Well now what Lincoln does is very much like, apparently, 30 other cities in this state do in 30 other counties. They contract for services with the county. Now we pay for our library with the city property tax and our county, to pay for their share of the contracting costs, has access to this county library tax. They can use it. But because the language is old it really doesn't seem to account for this phenomenon of contracting. All the statute talks about is construction and it gets us into an interesting problem. We've been doing business in our county for a number of years now in which the city taxes itself for a library. The county taxes itself, although not the city property, to get the money necessary to contract with the city and then the city provides services under a contract to the county. City gets taxed once to provide the libraries, county property gets taxed once to get the money for the contract to pay for the services that the city gives them. If you read the old law it is not clear that we have the authority to do what we're doing. Now arguably we do, but arguably we don't. Arguably we should be taxing the citizens inside the city twice, once with the city property tax and once with the county library tax. Now we don't do that, but arguably you might think under the old law we should do that. And secondly, arguably we might have to have a vote of the people to allow this contracting. Now as you and I know, it's not uncommon in a major capital construction on the municipal level to have a vote of the people. We have it a number of different times. But it is highly unusual and I can't think of an example when we have a vote of the people to allow for the contracting for services. So what LB 94 does is to make legal the practices of about 30 counties who are using this old